

# SIKKIM



## GOVERNMENT

## GAZETTE

**EXTRAORDINARY  
PUBLISHED BY AUTHORITY**

**Gangtok**

**Tuesday 28<sup>th</sup> May, 2019**

**No. 211**

**GOVERNMENT OF SIKKIM  
FINANCE, REVENUE AND EXPENDITURE DEPARTMENT  
COMMERCIAL TAXES DIVISION  
GANGTOK**

**No. 05/2019- State Tax (Rate)**

**Date: 29.03.2019**

### NOTIFICATION

In exercise of the powers conferred by sub-sections (3) section 9 of the Sikkim Goods and Services Tax Act, 2017 (9 of 2017), the State Government, on the recommendations of the Council, hereby makes the following further amendments in the notification of the Government of Sikkim, in the Department of Finance, Revenue & Expenditure, No.13/2017-State Tax (Rate), dated the 30th June, 2017, published in the Gazette of Sikkim, Extraordinary, vide number 292, dated the 6th July, 2017, namely:-

In the said notification,-

(i) in the Table, after serial number 5A and the entries relating thereto, the following serial number and entries shall be inserted, namely:-

| (1) | (2)   | (3)        | (4)       |
|-----|---|------------|-----------|
| "5B | Services supplied by any person by way of transfer of development rights or FSI (including additional FSI) for construction of a project by a promoter.   | Any person | Promoter; |
| 5C  | Long term lease of land (30 years or more) by any person against consideration in the form of upfront amount (called as premium, salami, cost, price, development charges or by any other name) and/ or periodic rent for construction of a project by a promoter | Any person | Promoter; |

(ii) in the Explanation, after clause (g), the following clause shall be inserted, namely:-

"(h) The term "apartment" shall have the same meaning as assigned to it in Real Estate (Regulation and Development) Act, 2016.

(i) "Promoter" shall have the same meaning as assigned to it in Real Estate (Regulation and Development) Act, 2016.

- (j) the term "project" shall mean a real estate project (REP) or a residential real estate project (RREP);
  - (k) "Real estate project (REP)" shall have the same meaning as assigned to it in Real Estate (Regulation and Development) Act, 2016.
  - (l) the term "residential real estate project (RREP)" shall mean a REP in which the carpet area of the commercial apartments is not more than 15% of the total carpet area of all the apartments in the REP."
2. This notification shall come into force with effect from 1st of April, 2019.

**Dipa Basnet**  
**Secretary**  
**Commercial Taxes Division**  
**Finance, Revenue & Expenditure Department.**